

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

4

## UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under  
37 C.F.R. 1.53(b))*

Attorney Docket No.

1932.1064

First Named Inventor or  
Application Identifier

Chad Cori Huval

Express Mail Label No.

EV044390928US

Title of  
Invention

COMBINATION THERAPY FOR TREATING HYPERCHOLESTEROLEMIA

11050 U.S. PTO  
10/025184



### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☐ Fee Transmittal Form  
*(Submit an original, and a duplicate for fee processing)*
2. ☒ Specification **Total Pages 28**  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☐ Drawing(s) (35 U.S.C. 113) **Total Sheets** ☐  
☐ Fig. of the Drawings for Publication ☐  
☐ No Figure to be Published
4. ☒ Oath or Declaration/POA **Total Pages 3**
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))  
*(for continuation/divisional with Box 17 completed)*
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*

6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☐ Computer Readable Form
  - b. ☐ Paper Copy (identical to computer copy)  
☐ Pages
  - c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents)  
☒ Assignee - GelTex Pharmaceuticals, Inc.  
 Waltham, Massachusetts
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document *(if applicable)*
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations as noted
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity ☐ Statement filed in prior application, status still proper and desired
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request *(check parent application)*
16. ☒ Other Remarks/Change of Correspondence Address

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/311,103

Prior application information: Examiner: Webman, E.

Group Art Unit: 1617

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.

*(Add standard Related Applications section with incorporation by reference to specification or update same)*

### 18. CORRESPONDENCE ADDRESS

NAME	Customer No. 021005				
	HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
ADDRESS	530 Virginia Road, P.O. Box 9133				
CITY	Concord	STATE	MA	ZIP CODE	01742-9133
COUNTRY	USA	TELEPHONE	(978) 341-0036	FAX	(978) 341-0136

Signature	<i>Susan M. Abelleira</i>	Date	<i>December 19, 2001</i>
Submitted by Typed or Printed Name	Susan M. Abelleira	Reg. Number	42,252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen  
and Pradeep K. Dhal

Continuation Application of

Application No.: 09/311,103

Filed: May 13, 1999

For: COMBINATION THERAPY FOR TREATING HYPERCHOLESTEROLEMIA

Date: 12/19/01

EXPRESS MAIL LABEL NO. EV 044390928 US

REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-captioned application is a continuation of application number 09/311,103 filed on May 13, 1999 to which priority is claimed under 35 U.S.C. §120.

The related applications paragraph has been revised to include the parent application.

Claims 1-6 are newly presented. No new matter has been added.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Notice of Change of Correspondence Address was submitted in parent Application No. 09/311,103. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In

10025184-121901  
T06TAT-18T2001

addition, please direct all telephone calls to **Carolyn S. Elmore** at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By *Susan M. Abelleira*

Susan M. Abelleira

Registration No. 42,252

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *December 19, 2001*

10025134-12101  
"FBI" 48752001